S.B.Cr.Misc. Bail App. No. 5134/2007
(Ravi Panjabi Vs. State of Rajasthan)

Date of order : 14/11/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. Shambhoo Singh, for the petitioner.

Mr. Ashok Upadhyay, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned, challan papers and statement of the prosecutrix as also her statement recorded by the doctor on a medical report.

On 26.9.2006, the prosecutrix in her handwriting stated that there had not been any rape with her and she is not willing to go for medical check up.

I have also gone through the statement of the prosecutrix. It appears that on the relevant date of occurrence while the prosecutrix was on the roof of the house, the petitioner alleged to have taken her while crossing three houses and thereafter taken to some park and she also traveled with the petitioner to various places from 31.8.2006 to 23.9.2006.

Be that as it may, since the prosecutrix herself stated that no rape was committed and there appears to be some letters alleged to have been written by the prosecutrix to the petitioner which have been placed on record. Without commenting on the merit of the case, looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, I think it

just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Ravi Panjabi S/o Shri Ghanshyam Lal Ji Panjabi be released on bail in FIR No. 220/07 P.S. Hiran Magari, Udaipur provided he executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP